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136 S WISCONSIN ST
PORT WASHINGTON. WI 53074

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NOV 05 2007

OFFICE OF PETITIONS

In re Application of :
Pan et al. :
Application No. 09/682685 :
Filing or 371(c) Date: 10/05/2001 :
Title of Invention: :
EFFICIENT MULTI-SLICE :
ACQUISITION WITH BLACK BLOOD :
CONTRAST IN FAST SPIN ECHO :
IMAGING :
ON PETITION

This is a decision on the "Request for Reconsideration of Petition Under 37 C.F.R. 1.183 Requesting Waiver of Requirements of 37 C.F.R. § 1.48(a) and Declaration in Support Thereof," filed June 21, 2007. The petition is properly treated as a request for waiver of 37 CFR 1.48(a)(2), which requires a statement from each person being added and from each person being deleted as an inventor that the error occurred without deceptive intention on his or her part.

The petition is granted.

November 29, 2006 Petition to correct inventorship

Applicant filed a petition to correct inventorship on November 29, 2006, to correct inventorship by adding inventors Thomas K.F. Foo and Zahi A. Fayad, and deleting inventors Tin-Su Pan, Steven J. Woloschek and H. David He. The rule 48 petition included a statement from each person being added that the error occurred without deceptive intention on his or her part. A statement from deleted inventor Woloschek was also provided, that the error occurred without deceptive intent on his part. A statement from inventors Pan and He was not provided.

The November 29, 2006 Petition for waiver under 37 CFR 1.183

Petitioner also filed a petition requesting waiver of 37 CFR 1.48(a)(2), that requires a statement from each person being added and from each person being deleted as an inventor that the error occurred without deceptive intention on his or her part.

In support of the petition, Applicant stated that he attempted to contact inventors Pan and Hu via telephone, but was unsuccessful. Applicant also stated that he attempted to contact inventor Tan

via email, but that too was unsuccessful. Further efforts of the Applicant to contact inventors Pan and He included email correspondence from Applicant to the Assignee requesting information as to the whereabouts of the inventors.

The November 29, 2006 petition was dismissed in a Decision mailed March 19, 2007. The Decision dismissing the petition stated that where an inventor is unavailable (cannot be reached), Petitioner must establish the exercise of diligent effort in trying to find or reach the nonsigning inventor. A statement of facts should be submitted from a person with first hand knowledge of the facts relied upon that fully describes the exact facts which are relied on to establish that a diligent effort was made to locate the inventor. At the very least, an Internet search, or a search of telephone directories should be undertaken of the regions where it is suspected the inventors may reside. Copies of the results of such searches must be referred to in any renewed petition. It is important that the forthcoming communication contain statements of fact as opposed to conclusions. *See*, MPEP § 409.03(d).

It was also noted that Applicant had indicated that the invention may have been assigned, and that 37 CFR 1.48(a)(5) requires the written consent of any existing assignee, if any of the originally named inventors has executed an assignment.

The present Request for Reconsideration

Applicant files the present request for reconsideration, and includes a statement from Tin-su Pan, that the error in inventorship occurred without deceptive intent. The petition also includes, *inter alia*, copies of internet searches and phone number searches for Mr. H. David He, both of which were unsuccessful.

The present request for reconsideration

The present request for reconsideration includes: (1) a request to correct the inventorship that sets forth the desired inventorship change; (2) a statement from each person being added and from each person being deleted as an inventor that the error occurred without deceptive intention on his or her part; (3) an oath or declaration by each actual inventor or inventors as required by 37 CFR 1.63 or as permitted by 37 CFR 1.42, 1.43 or 1.47; (4) the fee set forth in 37 CFR 1.17 (i); and (5) the written consent of any existing assignee, if any of the originally named inventors has executed an assignment .

Accordingly, the petition is granted. A corrected Filing Receipt identifying the inventorship of the application is enclosed herewith.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.



Derek L. Woods

Attorney
Office of Petitions

Enclosure; Corrected Filing Receipt



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
09/682,685	10/05/2001	3737	986	GEMS8081.152	29	4

CONFIRMATION NO. 8976
CORRECTED FILING RECEIPT

27061
ZIOLKOWSKI PATENT SOLUTIONS GROUP, SC (GEMS)
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PORT WASHINGTON, WI 53074



OC000000026558081

Date Mailed: 11/02/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Thomas K.F. Foo, Rockville, MD;
Zahi A. Fayad, New York, NY;

Power of Attorney: The patent practitioners associated with Customer Number 27061

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 10/23/2001

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 09/682,685**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Efficient multi-slice acquisition with black blood contrast in fast spin echo imaging

Preliminary Class

600

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

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NOT GRANTED

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